

HOFLAND & TOMSHECK

Joshua Tomsheck, Esq.
State Bar of Nevada No. 009210
josht@hoflandlaw.com
228 South 4th Street, 1st Floor
Las Vegas, Nevada 89101
(702) 895-6760
(702) 731-6910 facsimile
Attorney for Defendant Phillip Allerson Vaughn

**IN THE UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Plaintiffs,

vs.

PHILLIP ALLERSON VAUGHN,
ERIC JAMAR GOODALL,

Defendants.

Case No.: 2:14-MJ-00748-VCF

**STIPULATION TO CONTINUE
PRELIMINARY HEARING**

IT IS HEREBY STIPULATED AND AGREED by and between DANIEL COWHIG, Assistant United States Attorney, and KATHRYN NEWMAN, Assistant United States Attorney; JOSH TOMSHECK, ESQ., counsel for Defendant, PHILLIP VAUGHN; and TODD LEVENTHAL counsel for Defendant ERIC JAMAR GOODALL; that the preliminary hearing currently scheduled for February 17, 2015 at the hour of 4:00 p.m., be vacated for four weeks, or to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. The parties are attempting to resolve the case with a pre-indictment plea and require additional time to negotiate and discuss the terms of the plea.

2. Denial of this request for continuance of the preliminary hearing would prejudice and all defendants and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice.

4. The additional time requested by this Stipulation is excludable in computing the

1 5. Defendants are all currently in custody and have no objections to continuance.
2 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18,
3 United States Code §§ 3161(b) and 3161(h)(8)(A), considering the factors under Title 18, United
4 States Code § 3161(h)(8)(B)(I) and (iv).

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6 This is the third request to continue the preliminary hearing date filed herein.

7 DATED this 12th day of February, 2015.

8 DANIEL G. BOGDEN

9 UNITED STATES ATTORNEY
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11
12 /s/ Dan Cowhig
13 DAN COWHIG, ESQ.
14 Assistant United States Attorney

12 /s/ Kathryn Newman
13 KATHRYN NEWMAN, ESQ.
14 Assistant United States Attorney

15 /s/ Todd Leventhal
16 TODD LEVENTHAL, ESQ.
17 Nevada Bar No. 008543
18 Attorney for Defendant Eric Jamar Goodall

15 /s/ Josh Tomsheck
16 JOSH TOMSHECK, ESQ.
17 Nevada Bar 009210
18 Attorney for Defendant Phillip Allerson Vaughn
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**ORDER CONTINUING
PRELIMINARY HEARING**

Based upon the pending Stipulation of counsel, and good cause appearing therefor, the Court hereby finds that:

IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter currently scheduled for February 17, 2015 at 4:00 p.m., be vacated and continued to March 19, 2015 at the hour of 4:00 p.m..

DATED AND DONE this 13th day of February, 2015.



UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted By:

/s/ Josh Tomsheck
Josh Tomsheck, Esq.
Nevada Bar No. 009210
Attorney for Defendant Phillip Allerson Vaughn